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HIGH COURT OF CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI JAGDISH BHALLA, Ag. CJ

Writ Petition (C) No. 6439 of 2007

Petitioner
Plaintiff

Shankerlal Sahu, S/o Devsingh, Aged about 52 years, R/o Village Kapsada, a Tehsil & Thana Dharsiwa, District Raipur, CG.

VERSUS

Respondents
Defendants

1. Gram Panchayat Kapsada Through Sarpanch Village Kapsada Tehsil Dharsiwa, District Raipur, CG.
2. State of Chhattisgarh through the Collector, District Raipur, CG

Writ Petition under Article 227 of the Constitution of India

Present: Shri Satyendra Sahu counsel for the petitioner.
Shri G.D. Vaswani, Govt. Advocate for the State.

ORAL ORDER

(Passed on 25th October, 2007)

The petitioner had filed a suit for declaration and permanent injunction on the ground of right of easement. Temporary injunction was granted by the trial Court, however, in appeal the same was reversed on the ground that only the part of the way of the plaintiff was affected. Plaintiff has not clarified as to which part of the way has been affected.

In these circumstances, it would be open for the petitioner to make an application before the Appellate Court for clarification of the order regarding the part of the way so affected. Accordingly, the petition is disposed of.

Sd/-
Acting Chief Justice

Kamde